IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 20451 of 2004

Between:

Mekala Veeraiah, S/o. China eswaraiah,
R/o. Akkulayapally Village, Viswanadhapuram, Mydukuru Mandal,
Cuddapah District.

..... PETITIONER

AND

1 The District Collector, Cuddapah District, Cuddapah.
2 The Revenue Divisional Officer, Jammalamadugu, Cuddapah District.
3 The Mandal Revenue Officer, Mydukuru Mandal, Cuddapah District.
4 Smt. Kadiri Siddamma, W/o. Dr. K.C. Subbarayudu,
R/o. Proddatur, Cuddapah District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the order of the 2nd respondent passed in D.Dis(A)/402/2002 dated 20-5-2002, in setting aside the order of the 3rd respondent passed in Ref.B.456/92, dated 24-2-1993 as illegal, arbitrary and violative of principles of natural justice and consequently set-aside the same.

Counsel for the Petitioner:MR.POLISETTI RADHA KRISHNA

Counsel for the Respondents 1 to 3: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER

As against the impugned order passed by the Revenue Divisional Officer-second respondent herein dated 20.5.2002, an appeal lies to the District Collector. Since it is contended that the petitioner is not a party to the proceedings, it is open for him to seek leave from the District Collector for preferring the appeal, if he feels that he would be the affected party, if the order impugned will be allowed to be continued. If any such appeal is filed by the petitioner, it is needless to observe that the District Collector has to follow the necessary procedure as contemplated by entertaining the appeal and dispose of the same as per law.

With the above observation, the writ petition is dismissed. No order as to costs.

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A. GOPAL REDDY. J.

8th November, 2004

Note: Issue C.C. by tomorrow.

(b/o)

tsr.

To

1 The District Collector, Cuddapah District, Cuddapah.
2 The Revenue Divisional Officer, Jammalamadugu, Cuddapah District.
3 The Mandal Revenue Officer, Mydukuru Mandal, Cuddapah District

4. Two C.C.s to Government Pleader for Revenue, High Court Buildings, Hyderabad.

5. Two C.D. copies.